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ABSTRACT

The authors discuss parental punishment practices that do not violate children's physical integrity. Physical punishment is still quite prevalent in the United States and Great Britain. Many studies indicate that not only does physical punishment not prevent the recurrence of undesirable behaviors, but it leads to psychopathology, especially delinquency and aggressive anti-social behavior in the child. As to the consequences of psychological punishment such as love withdrawal and ridicule and guilt induction, research results are not very clear, though there is some evidence which suggests psychological punishment also leads to anxiety and psychopathological disturbances. Several alternatives to punishment as child rearing practices are suggested: the training in behaviors which are incompatible with the disapproved responses, and parental action contingent upon the child's commission of a deviant act. Empathy and reasoning should govern parental discipline, and the latter should address itself to the reasons rather than the consequences of children's misbehavior. The authors conclude that parental discipline should be a public, rather than private issue. (Author)

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CHILDREN'S RIGHTS AND PARENTAL PUNISHMENT PRACTICES*

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Introduction

We plan to examine the question of children's rights in the context of parent practices, values and prerogatives. With the exception of extreme violation of children's physical integrity, there has been relatively little attention given to issues bearing upon children's rights within the family structure. There are a number of reasons which may account for this state of affairs. Most paramount, a family is considered to be a sacrosanct system, invulnerable and impervious to outside inspection and influence. Only when a family system or its subsystem parts manifests open deviation from prescriptive behaviors is license extended for analysis of the internal workings of the family.

It appears to us that an adequate understanding of the ramifications of the concept of children's rights requires an invasion of the family sanctum. An appropriate vehicle on which to focus this analysis is the question of parent practices, specifically parent punishment practices. In addressing ourselves to parent punishment, it is recognized that the traditional domain of parent rights may be encroached upon, an issue to which we shall return. Further, the complexity of evaluating children's and parent's rights in regard to punishment practices is also acknowledged. Social values regarding types of punishment vary markedly as a function

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of cultural settings, age and sex of the child, the "legitimacy" of the provocation, historical period and presumed function of the punishment. Moreover, psychologists are not unanimous in their views and advocacies regarding the desirability and effect of different forms of punishment. These difficulties not withstanding, it is our plan to evaluate the degree to which various categories of punishment infringe upon children's rights in relation to their psychological effects.

There is one category of punishment that is not a contemporary issue--namely, the use of extreme physical punishment which results in visible physical injury to the child. These injuries include those signs or symptoms that are encompassed by the battered child syndrome which is the designation currently used to signify the problem of child abuse by caretakers.

This social problem has recently become an important and salient public and professional issue. When one considers the number of families involved, estimates ranging from 500,000 to 2,000,000 in the United States alone, and until very recently how few helping services were available, the degree of resistance to intervention in family practices becomes evident.

Also, it was not so long ago that many of the child training practices which are now considered as brutal and abusive were accepted procedures for socializing the child. These practices were not merely reluctant expressions of "last resort" actions, but were recommended, advocated and endowed with virtue and even biblical support (Radbill, 1968). This history of child rearing, from antiquity to the present, portrays what appears to us a panorama of horrors. The administration of corporal punishment was not reserved for the child's parents but extended to all of the child's caretakers and socializing agents.

While not all historians concur in this consistent dismal image of the history of child rearing (Ar[illegible], 1962; Calhoun, 1974), even a modified interpretation leaves one with a more than sobering impression of the way children were disciplined during this extended period. Especially sobering is the recognition that brutal and pain inflicting modes of discipline were socially, legally and morally acceptable, if not normative. In terms of contemporary values and psychological orientation and insights, practices which were once socially approved are now consid[illegible]ed as part of the battered child syndrome, requiring therapeutic intervention for both the victim and the abuser. Since practices that were once considered as appropriate are now viewed as reprehensible, the disquieting possibility arises that practices which are today considered as acceptable, may be judged as barbaric by future generations; that is, the question is raised as to whether there are extant parental punishment practices that are considered as legitimate methods of child training and discipline that in a few decades will be perceived as examples of child abuse.

Given the past course of historical change in child rearing methods, it seems reasonable to infer that the path of future change will be in the direction of a more compassionate caring for children, in part reflected in a decline of corporal punishment and its psychological equivalents. The possibility of accelerating this process and creating in the present, the more effective and harmonious child rearing behaviors that we anticipate for the future--is appealing. Our consciousness of this historical development and of the psychological variables involved, can make this possibility a reality.

Our conjecture regarding the future pattern of disciplinary practices is not based solely on inferences drawn from historical modes. We

believe that an analysis of the psychological effects of various modes of punishment and discipline provides a rationale for, and leads to a similar conclusion. Moreover, when one views the issue of punishment practices in the context of children's rights, the concept of child abuse and what constitutes an infringement of children's rights becomes extended to include a broad range of physical and psychological punishments.

We begin our analysis of the issue of punishment practices with the basic assumption that a child has a right not to be subjected to cruel and unusual punishment. Further, by cruel and unusual punishment, we wish to go beyond current definitions of child abuse and battering to include all forms of punishment that have negative consequences for the growth and well being of the child. Moreover, we wish to question not only the prerogatives of teachers and caretakers in regard to disciplinary practices but also the disciplinary prerogatives of the parents themselves.

Patterns of Parent Punishment Practices

Complete data on normative and comparative child rearing practices, especially modal techniques descriptive and typical of different segments of our society, simply do not exist. The once raging controversy regarding the relative permissiveness of the middle class and the greater punitiveness of the lower class in their overall child rearing behaviors has ceased to be an issue of great concern.

While it is not possible to present specific descriptions of particular punishment techniques employed by parents of different socioethnic backgrounds, we can make general statements regarding broad categories of discipline techniques. Punishment is frequently dichotomized into two principal categories: physical punishment and psychological or

love-oriented punishment. The term love-oriented does not imply nor is it used synonomously with positive training and control procedures since it includes guilt inducing and isolation techniques which are not considered as favorable mental health promoting strategies.

Physical punishment seems to be the more frequent child rearing practice in the family's repertoire of training strategies. In a series of papers addressed to the use of physical punishment, Steinmetz and Straus (1974) conclude that corporal punishment is almost a universal practice in England and the United States--with 84 to 97 percent of parents resorting to physical punishment at some period in their child's life. The specific behaviors included here (as elsewhere) under the rubric of physical punishment are beating, slapping, kicking, etc. In a broad longitudinal study carried out in England (Newson, 1968), it was found that between 60 to 70 percent of mothers of four-year-olds "smacked" their children somewhere between once a day and once a week.

Parents and citizens who interpreted the early student revolts at Berkeley during the 1960's, as indicative of the more permissive child rearing practices of the 1940's, should be surprised to learn that in a study of 809 mothers in California--half reported using some form of physical punishment when asked what their usual method of punishment was. In that study, as in others, mothers' use of physical punishment was definitely related to the extent of her education.

Effects of Physical and Psychological Punishment Practices

The avowed purpose of punishment is to reduce or eliminate the behavior that is being punished. Thus, in evaluating the effects of

different modes of punishment and related disciplinary practices, an important criterion is the change that occurs in the punished response. However, the effects of parental reactions are not limited to an isolated prohibited response. Parents function as models, as sources of emotional security, as socializers and protectors. Because of the intimate relationship between child and parent, the effect of a parental reaction to a particular deviant behavior extends to nondeviant behaviors, to the child's self-system and may foster unintended and undesired side effects. Consequently, in assessing certain practices such as punishment and discipline, it is necessary to go beyond the intended response change and assess other areas of the child's personality which may have been differentially affected by the use of a particular mode of punishment.

Effects of Physical Punishment

The first systematic data on the effects of punishment emerged in the course of experimental studies of animal learning in which a form of physical punishment, electric shock, was made contingent upon a particular response by the animals. From these early studies, Skinner (1938) concluded that punishment was relatively ineffective as a technique for eliminating undesired behaviors and consequently focused on positive reinforcement as the critical element in behavior shaping and modification.

In recent years additional research has been carried out with children although, for obvious ethical reasons, reproof and deprivation rather than physical pain have been used as the principal mode of punishment. Parke (1970), after an extensive series of studies, with six- to eight-year-old children, concluded:

> It is unlikely that a socialization program based solely on punishment would be very effective; the child needs to be taught new appropriate responses in addition to learning to suppress unacceptable forms of behavior, (p. 281)

These studies indicate that punishment not only fails to communicate to the child what the appropriate response is, but questions its effect even as a suppressor of the undesired behavior.

The data most relevant to the effects of parental use of physical punishment are those yielded by studies of child rearing practices. While these studies have the virtue of being carried out in more naturalistic circumstances, the data reflect one or another methodological limitation. The findings from these studies on the effects of physical punishment reflect a consistent outcome. In general, parental punitiveness has been found to be positively correlated with various forms of psychopathology, especially delinquency and aggressive acting-out behavior. The positive relationship found in a large number of studies between parental use of physical punishment and aggressive anti-social behavior in the child, is especially revealing. The suppressive potential of physical punishment, which undoubtedly occurs, is substantially outweighed by the instigating and modeling properties of parental resort to physical punishment. One is hard put to find any empirical justification for the old adage "Spare the rod and spoil the child". Rather, one ought to spare the child from the pain-infliction and humiliation of the rod and its equivalents.

There is also evidence that children who are subjected to physical punishment are less likely to have internalized moral standards than children subjected to other modes of discipline, displaying less guilt and acceptance of responsibility for deviant behavior and weakened

ability to resist temptation.

We are not alone in our interpretation of the findings--other psychologists have been equally impressed by the degree of consistency yielded by these very diverse studies of the effects of parental punishment and have drawn conclusions similar to ours (Becker, 1964; Eron, et al., 1963).

The use of corporal punishment by the state, by the school or by the parent--is simply a poor method of socializing children. Obviously, an occasional spank is not going to traumatize a child, destroy the spirit or make one anxious and hostile. However, the use of corporal punishment by schools and by parents, as a prescribed mode of discipline for certain infractions, is objectionable. It sets a poor example for the child. It teaches the child that physical punishment is the appropriate response to use in conflict situations.

Subjecting others, child or adult, to deliberate physical pain is the prototype of inhumane behavior. It is human to be angry; it is also human to lose control over one's aggressive behavior. But to engage in the deliberate infliction of physical pain is unnecessary and, in our judgment, uncivilized.

Psychological Punishment

The empirical evidence on the effects of psychological punishments such as ridicule, shame, rejection and guilt induction, is not nearly as substantial or as consistent as that relating to physical punishment. Love withdrawal techniques and their effects are more complex and subtle and less easily assessed than those of physical punishment. There is abundant evidence that as a generalized attitude toward the child,

rejection by the parent has particularly destructive effects (Glueck & Glueck, 1950; Goldfarb, 1945; Lowrey, 1940; McCord, McCord & Howard, 1961). Studies bearing upon the effects of specific love-withdrawal techniques in the context of a less negative familial atmosphere suggest that when the parents use guilt, shame and emotional coldness, excessive anxiety, inhibition and more extreme psychopathological disturbances result (Anthony, 1958; Bromberg, 1961; Rodnick & Garmezy, 1957). The data also suggest that love-withdrawal techniques do not facilitate the internalization of moral, prosocial attitudes and standards and, like physical punishment, may sometimes result in less generosity and resistance to temptation and more cheating and aggressive behaviors (Feshbach, 1973a).

Thus, while the evidence bearing on psychological punishment is not as substantial as the data on physical punishment, there appears to be a reasonable basis for concluding that neither fear of physical pain nor fear of psychological pain are conducive to optimal psychological development and functioning. However, if we reject physical and psychological punishment as both infringements of children's rights and empirically ineffective, what can the parent use for child training and socialization?

Alternatives to Physical and Psychological Punishment

Alternatives to punishment can be grouped into two gross categories: (1) the training of behaviors which are incompatible with the disapproved responses and (2) parental action contingent upon the child's commission of a deviant act.

Training approaches in the first category have been discussed extensively elsewhere. They include the positive reinforcement of prosocial behaviors and the arrangement of the child's environment so as

to facilitate the evocation of these desired behaviors. In addition to these direct methods for enhancing the probability of desired behaviors, there are a number of processes and behavior patterns such as empathy which have a more indirect, but nevertheless significant influence on the inhibition of socially undesirable behaviors and the facilitation of prosocial responses. There is some evidence linking empathic behavior in girls, to parental use of reasoning, explanation and related cognitive strategies in their interactions with the child (Feshbach, 1975; Hoffman, 1975). Cognitive strategies, more generally characterized as induction techniques, also constitute an important alternative available to the parent in our second category of parental response modes bearing on the discipline and control of the child--namely, parental actions pursuant to the child's commission of a deviant act. In spite of exemplary parent training behaviors, children will still commit deviant acts.

While psychologists have not yet developed manuals of discipline for parents to employ in socializing the child, it is possible to designate some useful principles which can be employed as guidelines in responding to infractions by the child. These principles, which are designed to provide alternatives to physical and psychological punishment practices, presuppose that the function of discipline is not to penalize the child but "to correct, mold or perfect the mental facilities or moral character". Also, while these alternatives are intended to enhance children's rights, they are not intended to diminish children's responsibilities. By children's "responsibilities" are meant those age-appropriate behaviors characterized by independence, self-regulation, and serving familial or social needs.

The critical dimension that the parent must consider in disciplining a child for an infraction is the basis for the child's misbehavior rather than the negative consequences of the misbehavior. The Piagetian hierarchy of moral development--in which moral judgments made in terms of the causes of an infraction (e.g., accidental vs. intentional) are at a higher level of cognitive development than judgments made in terms of the consequences of an action (e.g., a valuable broken vase vs. an inexpensive broken vase) applies with special cogency to the disciplinary actions of a parent.

One can distinguish at least four major categories of determinants of infractions (Feshbach & Feshbach, 1973):

1. Inadequate ego controls. The young child, especially, performs actions on impulse and commits infractions because it lacks self-control mechanisms. Verbal admonitions with age appropriate explanations are useful here. The parent in saying "No, don't play with the radio; it may break and you won't be able to listen to it", is providing the child with a verbal structure which the child can repeat and use to help regulate its behavior.

2. Misappraisals. Children frequently fail to carry out a chore or commit some other infractions because of ambiguous communications regarding what is expected of them and regarding the consequences of failing to conform to expectations. Parents need to make explicit their often implicit expectations of the child; they need to make clear the behaviors that are approved, those that are disapproved and the nature of the contingent punishment. In considering possible "punishment", Piaget's (1948) and Kohlberg's (1963; 1969) distinction between retributive and distributive justice is useful. Retributively based punishments are

retaliatory in nature and bear little relationship to the infraction. Distributively based punishments are restorative in nature and are intrinsically related to the infraction. Swatting a child who has been aggressive to a peer is an example of retributive punishment. Requiring the child to aid or make an adjustment to the injured child is an example of distributive punishment.

3. Objectional habits. If a child's misbehavior is an instance of a persistent, specific habitual mode of behavior, then the parent's best strategy may be to ignore the behavior and to elicit and reinforce a desired response in the presence of the stimuli that evoke the disapproved response. Rather than punishing a child for eating with her fingers, the parent should provide the child with a utensil and focus on the reinforcement of appropriate eating responses. Sometimes, a habitual behavior may be so disruptive that the parent may have to exercise immediate control through distributive punishment.

4. Cognitively mediated objectionable behaviors. These behaviors are not due to lack of controls, to poor habit, to misinformation but are carried out by the child with forethought, challenge and awareness of the consequences of the misbehavior. It is to this kind of situation that the principle of distributive punishment best applies. If the behavior persists, increasing the level of punishment is not likely to be effective, and may well be counter-productive. Under these circumstances, the parents should probably seek outside guidance and help.

This presentation of alternatives is intended to be illustrative rather than complete. The propositions that have been offered here require empirical study, validation and refinement. However, we believe that this is a more productive course to pursue than approaches which

focus on obedience derived from rigid role definitions, often enforced by the use of physical punishments (Baumrind, 1974).

Implications and Implementation

Having arrived at a constellation of discipline practices that promise to serve as functions of socialization while furthering the cause of children's rights and welfare, the matter and manner of fostering and implementing these child training practices becomes the crucial task. How is this to be achieved?

A major barrier in the education of and communication to parents of effective and psychologically sound socialization practices is the secrecy that surrounds this area of interaction." Many parents are uneasy and embarrassed about disclosing their attitudes and behaviors in the realm of child rearing, especially in regard to the area of discipline." In general, we have found that it is difficult to obtain child rearing information about the kinds of disciplinary responses parents employ in the various situations in which children fail to meet parental demands or otherwise engage in disapproved behaviors.

This difficulty has a counterpart in the lack of freely available and accessible sources of information, advice and facilities for parents. A prevalent attitude still exists in our society that parenting is a private responsibility and that if society becomes involved in the process, collective upbringing of children is implied. The myriad of books providing advice for parents and the mushrooming of parent training programs reflect the anxiety, curiosity and needs of parents for guidance and support in their child rearing efforts and roles.

We suggest that what is needed to serve the interests and the rights of the child and of the parents as well, is an invasion of parent privacy in the child rearing sector of our society. As long standing members of groups concerned with the maintenance of civil liberties, including the right to privacy, we recognize that our suggestion deviates from an important social principle. However, in our hierarchy of values, protecting the child is a more important principle than protecting parental privacy.

We believe that how a parent rears a child should be an open matter, available for discussion, help and inquiry. The very changes in the communication status of child rearing practices from a private to a more public domain can, in itself, have profound, constructive effects. It would raise parental awareness of the character and consequences of their practices; it would help reduce the anxieties and uncertainties that are so often connected with child rearing; it would facilitate sharing and mutual support and understanding. We would like to emphasize that we believe that the most effective route to the "invasion of parent privacy" is through education and the provision of concrete support mechanisms for the assistance of individuals in their critical, social role as parents.

Thus, reciprocity is a critical element in our proposal to remove the nonconstructive shield of privacy currently surrounding parent socialization practices. Parents have a right to expect help and receive assistance from their community in regard to information, guidance and child care resources. Children's rights will then be served in two fundamental ways. The community will function as a resource to the parents which is their right, and as a protector and advocate for children which is their right.

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